

## GENERAL POLICE ORDER

No. 19-73

HEADQUARTERS July 18, 1973

SUBJECT: PRETRIAL DISCOVERY RIGHTS OF DEFENSE  
ATTORNEYS AND COURTS IN CRIMINAL CASES

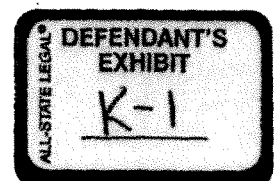
TO THE MEMBERS OF THE DEPARTMENT

In a letter to this Department, County Prosecutor John T. Corrigan has defined the legal rights of defense attorneys and courts to statements, reports and other items in criminal cases. His letter, as a part of this order, shall be considered an integral part of criminal case preparation procedures and all members shall comply with its provisions.

Copies shall be forwarded to all Divisions, Districts, and Units.

By order of,

GERALD J. RADEMAKER  
CHIEF OF POLICE



EX-32

JOHN T. CORRIGAN  
PROSECUTING ATTORNEY

# County of Cuyahoga

Criminal Courts Building  
1560 East 21st Street

Cleveland, Ohio 44114

771-0800

July 2, 1973

## ASSISTANTS

GARY S. ANDRAGHIK  
ALEXANDER G. BARRAN  
THOMAS A. CABLES  
SUSAN CANNARY  
THOMAS M. CYRUS  
MICHAEL G. DYNE  
STEPHEN E. DEJOHN  
WILLIAM T. DOYLE, JR.  
THOMAS J. ESCOFFER  
ROBERT E. FOLGOSI  
WILFRIED FRIEDMAN  
FRANK L. GALLUCCI, JR.  
FRANK C. GATNER  
TIMOTHY J. GAVINER  
JOSEPH GIBSON  
GEORGE GLAVINOS, JR.  
DOUGLAS H. GLENN  
RICHARD A. GRIFFIN  
AY F. CRICAN  
JOSE F. HARRIS  
RICHARD A. HOSCHMAN  
PAUL A. HIRSCH  
PETER H. HULL  
JOHN V. JACKSON II  
ROBERT C. KICKEL  
EARL H. KIRKUP  
JEFFREY L. KOCIWI  
MICHAEL P. KOLESAN  
FRANK J. KUTERKA  
CHARLES M. LAHME  
PATRICK G. LAZZARO  
ALVIN LITVOLD  
GERALD D. MASON  
DAVID C. MULLIN  
HOWARD H. MURKIN  
ROBERT J. MURPHY  
CAROL M. MURPHY  
PAUL F. MURPHY  
HELENE A. MURPHY  
JOHN W. MURPHY  
DEANIS J. MURPHY  
STEVEN Z. MURPHY  
THOMAS J. MURPHY  
TED M. MURPHY  
MICHAEL S. MURPHY  
MICHAEL E. MURPHY  
JAMES E. MURPHY III  
JOHN K. MURPHY  
MICHAEL H. MURPHY  
GEORGE MURPHY  
ROBERT A. MURPHY  
GEORGE J. MURPHY  
THOMAS J. MURPHY  
CURTIS L. MURPHY  
ROBERT L. MURPHY  
EDWARD J. MURPHY  
HENRY J. MURPHY  
TIMOTHY A. MURPHY  
THOMAS J. MURPHY  
THOMAS J. MURPHY  
EDWARD H. MURPHY  
RICHARD F. MURPHY  
GERALD E. MURPHY

JOSEPH F. DOMINILE  
FIRST ASSISTANT

JOHN L. DOVILING  
CIVIL DIVISION

FRED F. HILTON  
TAX DIVISION

ROBERT J. GREENE  
RECIPROCAL SUPPORT DIVISION

MEMO TO ALL CHIEFS OF POLICE

RE: PRETRIAL DISCOVERY

The Ohio Supreme Court has recently promulgated Criminal Rules of Procedure, which have become effective July 1, 1973. Particularly, Rule 16 is going to be the concern of police departments and prosecutors.

At the outset I wish to advise that these are rules of criminal procedure that will be employed through the courts and through the prosecuting attorney.

\* NO POLICE DEPARTMENT IS REQUIRED OR SHALL GIVE TO DEFENSE COUNSEL AND/OR ANY COURT ANY RECORD, PAPER, STATEMENT, REPORT OR TANGIBLE OBJECT OF A CRIMINAL CASE.

Under proper circumstances under this rule, by application to the Prosecuting Attorney and/or the court, the defense counsel may be entitled to the following:

1. Statement of defendant or co-defendant, written, recorded, or a summary of an oral statement.
2. Defendant's prior felony record.
3. Inspection of photos, books, papers, documents, tangible objects, material to the preparation of the defense or intended for use by the Prosecuting Attorney as evidence.
4. Reports of results of physical or mental examinations, scientific tests or experiments.



## County of Cuyahoga

Cleveland, Ohio

CHIEFS OF POLICE

July 2, 1973

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5. Names and addresses of witnesses.

6. Evidence favorable to the defendant.

### EXCEPTION TO THE FOREGOING:

The foregoing does not authorize the discovery or the inspection of reports, memoranda, or other internal documents made by the Prosecuting Attorney or his agents (police departments are his agents) in connection with the investigation or prosecution of the case, or of statements made by witnesses or prospective witnesses to state agents.

NOTE: Wherein the Prosecuting Attorney certifies to the Court that the disclosure of the names and addresses of the witnesses may subject the witness to physical or substantial economic harm or coercion, such names and addresses of witnesses shall not be the subject of disclosure.

Respectfully submitted,

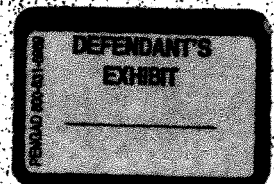
*John T. Corugan*  
Prosecuting Attorney

JTC:pc

- 3) Mechanism of taking are similar to civil cases.
- 4) May be used at trial if witness dead, out of state, unable to testify due to infirmity or sickness or unable to be subpoenaed. can be used for refreshing recollection or impeachment.

B. Discovery and Inspection (RULE 16)

- 1) One of the dramatic provisions of new rule placing criminal litigation on similar philosophical footing with civil trials. Surprise and gamesmanship reduced consistent with constitutional guarantees.
- 2) Information subject to disclosure on application of defendant.
  - a) Statements of defendants or co-defendants including
    - 1) written or recorded statements.
    - 2) written summaries.
    - 3) Recorded testimony of defendant or co-defendant before grand jury.
  - b) defendant's prior record.
  - c) documents and tangible objects including papers, photographs, building or parts, or places.
  - d) reports of examination and tests.
  - e) witnesses names and address.
  - f) disclosure of evidence favorable to defendant.
  - g) in camera (in chambers) inspection of witnesses prior statements.
- 3) Information not subject to disclosure.
  - a) prosecuting attorney's work product.
  - b) grant jury's transcripts.
- 4) Information subject to disclosure by defendant
  - a) Documents and tangible objects if defendant has sought disclosure from prosecutor.
  - b) Same with regard to examinations and tests.
  - c) and witness tests.
  - d) and in camera inspection of witness statements.





-0-

- 5) Information not subject to disclosure includes attorney's work product.
- 6) Continuing duty to disclose as to materials arising subject to original order.
- 7) Court has broad power to regulate and prescribe limitation of discovery and enforcement thereof.
- 8) Discovery may be made within 21 days after arraignment or seven days before trial whichever is earlier.

F. Subpoena (RULE 17)

- 1) For attendance of witnesses
  - a) standard form as to court, date, time, etc.
  - b) permits subpoena by indigent defendant
- 2) Service - can be secured by
  - a) sheriff, bailiff, coroner
  - b) clerk of court
  - c) municipal or township policemen or constable
  - d) attorney at law
  - e) any person not a party over 18 designated by court
- 3) Service made by
  - a) delivering a copy or reading to person named or
  - b) leaving at usual place of residence
- 4) Subpoena for hearing or trial can be served at any place within the state

G. Pretrial Conference (RULE 17.1)

Court at its discretion may order pretrial conference, no admissions by defendant or counsel made at pretrial may be used against defendant unless reduced to writing.

IV. SELECTED TRIAL AND POST TRIAL RULES

A. Recording of Proceedings (RULE 22)

- 1) In serious offense cases all proceedings shall be recorded
- 2) Petty offense cases all waivers of counsel required by Rule 44 (D) shall be recorded and if requested by any party all proceedings shall be recorded.

GP0004593

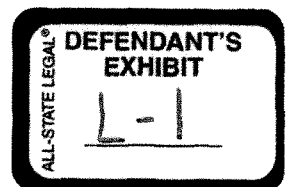
~~dropped~~ ~~dropped~~ (work - 000111)  
 (dropped in mail)  
 (dropped in mail)  
 (dropped in mail)

Left 2018 to J.V.  
 Back Home 12 ~ 12:30 up and  
 home - knocked out by T.V. in left  
 + back about 9

Started to write - (got key for car)  
 Left some time - Back home 12 noon  
 with + did his little S left  
 and back at about 9:30

Started to write -  
 Left some time - back home at  
 10:30 found T.V. on wife gone  
 was going to the home + left

Check - Start to read to Hatfield + Wood  
 Left some time - found at  
 12 noon couldn't get in  
 left - back 4:00 - got key for car  
 + left to home - got  
 an additional key to get in



000112

771-3770  
WK 25

Betty Worthy  
Called - good  
w/IT - saw  
Def talk w/vict at  
about 11-12 AM on day  
of murder - def denies  
this. No reason to  
Worthy lie.

1855 Page 1  
East Cleveland Ohio  
November 7 1974

J. T. Corgan  
County Prosecutor  
166 E 21  
Cleveland Ohio

Re: Isiah, Isiah  
CA 16694 - J. J. J. J.  
11-8-74 NCB \$100,000

Dear Mr. Corgan,

The purpose of this letter is  
to inform you of murder victims to  
be by the defendant in the murder  
of Eugene Brown Anderson on the evening  
of the murder - September 13 1974.

If you wish to inquire further  
about this murder testimony you  
can contact me at the above address  
I advised Art Hubbard  
to contact this woman.

000113

11-14-74  
JR

Thompson



000114

Mr. Gurke - also a  
witness to be  
called

Dr. Gurke will be subpoenaed  
by us to be brought in also if  
needed be.

000126

RIGOR 6-8 hrs

5:05 PM - at MORGUE - P.D.A.  
rigor incomplete

(X) time of death bet. 9-12 AM

---

Bloody Palm-print on  
P.D. newspaper on scene  
where body found.

- readable + comparable?

- Defendants?

- palm print too a meared  
to be compared.  
per SFU 2-20-75

ALL-STATE LEGAL®  
DEFENDANT'S  
EXHIBIT

L-2

000127

Examination  
stitch wounds

- nk wounds - 7 - all fatal

- 4 small surface wounds on abdomen

- small cuts on rt. hand.

scratches on upper & lower lip

SPEARM

- sperm in vaginal area VERY WEAK  
- INACTIVE

RIGOR

- up to 6 hrs - sperm life

- 6-8 hrs - rigor

FOOD 400 ml water - part-digested 1302.

3-5 hrs for <sup>digestion</sup> food to exit stomach

- all dates & garments l load soiled (wet)

- body clean & well groomed  
(consistent w/ def saying they showered  
after having sex. intercourse.)

- Loden ① NIGHTY dark length

② PERVIA

2 shirts - KNIFE WOUND IN SHIRT ③ CAPTAN ROBE

1 w/ quilt

1 bed spread

1 pillow

1 w/ pillowcase

1 long cloth towel

Reports in clothing

Flonase up

Job made in

NIGHTY

Leaving  
bloodstains

COLANBY  
notes

000128

✓ R. Ruggeri WK 621-7593  
HM 321-2616✓ Chuck Galloway ~~377-2500~~  
~~Central Ave~~come to  
what room in  
what lot in  
ref. to use  
phone.883-5407  
3597 E 65  
Cler. O.

✓ Reginald Mason 681-7314

SYNTHETICS PRODUCTS 531-6010

1980 55 St.

L.F.  
CARRIGAN  
404

Betty Marie Worthy

881-8455

BLADRAIGAL

2344 Prospect Ave.

1279 E 89 St.

N PHONE

10 A.M.  
FALMOUTH

✓ May Osterdorf

268-5648

1853 Page Ave

✓ Mary L. Mason ~~681-7314~~Linda Cloud  
1918 E. 86 St.

PHONE CK

w/ relief  
office  
Cloud + Worthy

✓ John Scott

1669 Carlson Ave.

E. Cle. ~~681-1590~~NOT IN SERVICE  
IN 216 area

✓ Adam (son?) WOLF

✓ MAS. LANE aunt of  
deceased 231-7718X ✓ MAY SMITH 283-7406  
3376 E 128

4-23-39 5'2" 100's

Andrews arrested with

RUTH SAMS (BETH)

units 497 E 112 St  
Zeever

Painesville

✓ FBI agent

KIRK

del. girlfriend  
in Painesville

522-1400

000130

Adam Wolf - desk clerk at  
Colonial Motel

- no longer works there
- no forwarding address
- no home address in file
- could not contact the  
witness who was on duty  
at clerk's office at motel  
on day this event occurred.

John Scott - lived at motel  
at time this event occurred.

- could not contact the  
witness

MRS. LANE - aunt of deceased.  
Hm 231-7718

- call this witness's ~~home~~  
home numerous times -  
no answer
- could not contact this  
witness.



MARY SMITH

- called witness 2-19-75 -
- witness recalls seeing def  
& victim alive ~~on~~ presumably  
on date of murder - does it  
remember dates too well -  
but is positive that she &  
WORTHY saw def talking to  
wife around 11 AM on date in  
question. - seems like could have

DEF. MUST  
BE LYING  
the witness  
has honest &  
no reason to  
lie.

ALL-STATE LEGAL®  
DEFENDANT'S  
EXHIBIT  
L-3



000131

RUTH SAMS

- maiden name BEEMER  
270 W. Jackson St.  
Painesville, O.

- JER  
F.B.I.  
AGENT  
KIRK  
5 22-1400

- supposed to be a girl friend of def -  
possibly while he was married to  
VICT.

- could not contact -

Def. met this girl through  
this girl's sister JUANITA  
BEEMER, 497 E. 117 St., Cleve.

- see if police can check these  
2 people out to see if def.  
told them anything about the  
crim or his wife.

000132

MARY L. MASON - mother of VICT.  
- supposedly went to  
GHANA, AFRICA to line  
- could not contact this wit.

MARY OSTENDORF

- call the wit. 2-19-75 &  
2-20-75

2-19-75 - wit. was home but  
refused to talk to me;  
agreed to come down to  
office to talk - friend  
of wit. talked on phone.

2-20-75 - ~~Wit.~~ called wit.  
again - not home but  
person who answered  
would not give any info.  
- do not think this wit.  
intends to keep appointment  
to ~~talk~~ ~~talk~~ talk  
w/me on Fri., 70 AM 2-21-75.

- all persons at above witnesses  
address very uncooperative  
& reluctant to give any info.

- this wit. intimidated

000133

- Call Ruggieri for Background on this case  
 WK 621-7593  
 HM 321-2616

CHUCK GALLOWAY - worked at Colonial  
 3597 E. 65th St. Motel - come to  
 Cleve., O. 883-5407) work at noon;  
 Def. Come in to see.  
 phone sometime after  
 noon - late in day;  
 thinks def is nice guy  
 never any trouble from  
 either him or his wife.

REGINALD MASON

WK - Synthetic Products 531-6010  
 HM 681-7314

- was not able to contact  
 this witness at home or at  
 work.

BETTY MARIE WORTHY

NO PHONE - phone co. has no  
 listing

- COULD ~~NOT~~ CONTACT

WK 771-3770 Van to 50m

- called me 2-20-25 - good memory  
 & will be good witness

LINDA CLOUD

NO-PHONE - phone co. has  
 no listing -

- COULD NOT CONTACT.

id Lr. Congdon - Kottler & Co. -  
 call phone company - phone co. has  
 no listing on either worthy or  
 cloud



CC-1.C

2/26/75

# PRECIPE CRIMINAL CASE

No. CR 17902 Jdg. Sweeney Rm. 1  
THE STATE OF OHIO, Plaintiff

vs.

ISIAH ANDREWS

Defendant

TO CLERK. Issue Subpoena to Sheriff of Cuyahoga County for  
the following witnesses, to-wit:

NAME	ADDRESS
X CO. CORONER	Re: Regina Andrews 9-18-74.
✓ BETTY MARIE WORTHY	2344 Prospect Avenue
X DET. ROWELL #1606	Cleveland, Ohio
X DET. HUBBARD #1673	Homicide
MARY OSTENDORF	"
✓ MARY L. MASON	1853 Page Avenue
<del>Reginald Mason</del>	Cleveland, Ohio 44112
REGINALD MASON	640 E. 107th Street
	Cleveland, Ohio 44108
LINDA CLOUD	" "
JOHN SCOTT	1918 E. 86th Street
	Cleveland, Ohio
	1669 Carlyon Avenue
	East Cleveland, Ohio
X Det Hicks #901 - CPD	
X Det Allen #83 - CPD	
(also get 510 in)	
if Vee's salaried on et of Ch 7 600 <sup>00</sup> - NSF &	
BEFORE YOU REPORT, PLEASE CALL	ASST. CNTY. PROSECUTORS
521-5800, EXT. 301, 302, OR 771-4060	CHARLES LAURIE, PATRICK
SO AS TO FIX THE EXACT TIME.	LAZZARO, JAMES CARNEY

To appear on the 3rd day of March 1975

at ----- o'clock ----- M., to testify on behalf of  
PLAINTIFF—DEFENDANT.

JOHN T. CORRIGAN

Attorney for STATE OF OHIO

LII1000



SUBJECT OR CRIME <b>DEAD BODY / SUSP. ED HOMICIDE UNIDENTIFIED</b>		TRACI	IN ZONE <b>615</b>	DATE <b>9/18/74</b>	000265 <b>51777</b>	
COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
VICTIM <b>UNIDENTIFIED</b>	ADDRESS <b>UNK</b>	PHONE <b>UNK</b>	<b>approx 25</b>	<b>F</b>	<b>C</b>	<b>unk</b>
REPORTED BY <b>PLT. SOBOCINSKI 3157</b>	ADDRESS	PHONE				
ADDRESS OF OCCURRENCE <b>FOREST HILLS PARK,</b>		TYPE OF PLACE <b>WOODED AREA,</b>				
TIME OF OCCURRENCE <b>approx. 3p</b>	DATE OF OCCURRENCE <b>9/18/74</b>	DAY OF WEEK <b>wed</b>				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY <b>JESSE BYOUS</b>	ADDRESS <b>11616 Durrant,</b>	PHONE <b>3p wed, 9/18/74,</b>			DATE	
WHAT OCCURRED?	(DETAILED DESCRIPTION OF PROPERTY INVOLVED OR SUSPECTS)					

Upon arriving at the scene, was met by JESSE BYOUS, who told us, that while he was parked there, he spotted a bundle, in the wooded area, upon investigating same, a foot came out of the bundle, he then notified, the police. Upon further investigation, showed the victim, to be described as a colored female, 25yrs, 56in. tall, 112lbs, lt. skin, blk hair, bro. eyes, wearing bed clothing, and was wrapped in a bed spread, . She also had a old scar on the right thigh, 1 1/2in. / 1/2in. wide, she had a yellow ring, on the second finger, right x hand, and two yellow rings, on the ring finger, of her left hand, NOTHING FURTHER AT THIS TIME....

**BODY WAS  
FOUND:**

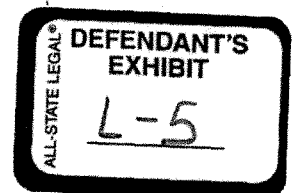
100 yds, south of arlington, ave, in foresthills park, 24ft. off the pavement, in the woods.

**CONVEYED:**

**TO THE MORGUE:**

by zone car, 621, where dr. gurber, pronounced victim D.O.A. at 5:05p, and diagnosed abrasions of right x knee, multiple stab wounds of the neck line, and x four stab wounds of the rt. abdomen,...

LINE 341, was notified, of the dead body, Unidentified, M per Plt. Foren, also SIU, was x on the scene, car 9151, who took photos and evidence, Det. Kane, Det. Patrick,



INVESTIGATING OFFICER <b>SOBOCINSKI 3157</b>	CHARGE <b>GUNSCH 2354</b>	CASE NO. <b>603</b>	ASSIGNMENT <b>3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100</b>	OTHER <b>SEE</b>
ALSO INVESTIGATED BY <b>Det. 632, Sgt. Malorey,</b>	OTHER UNIT NOTIFIED <b>Det. Homicide Det. Kowalski, Hubbard, 2236,</b>	MOVED BY <b>Barb. Johnson</b>	DATE <b>9/18/74</b>	
OFFICER MAKING REPORT	TIME <b>7:30p</b>	DATE <b>9/18/74</b>	TELETYPE NO.	

CLEVELAND POLICE DEPARTMENT

C OF C 71-R C1

ORIGINAL INVESTIGATION REPORT

EXTRA COPY

SUPPLEMENTARY REPORT									
DEAD BODY/		CLEVELAND POLICE DEPARTMENT		COMPLAINT NO.					
SUBJECT or CRIME		SUSPECTED HOMICIDE		DATE OF THIS REPORT		SEPT. 18, 1974 51777			
COMPANY OR OWNER		ADDRESS		PHONE		AGE	SEX	RACE	M-S
FIM		ADDRESS		PHONE					
UNIDENTIFIED BLACK FEMALE							F	B	
ADDRESS OF OCCURRENCE		TYPE OF PLACE		ZONE					
300 YARDS SOUTH OF ARLINGTON AVE. 100 YARDS WEST OF FOREST HILL SWIM POOL		603							
TIME OF OCCURRENCE		DATE OF OCCURRENCE		DAY OF WEEK					
FOUND AT 3:00 PM		SEPT. 18, 1974		WEDNESDAY					
SECURED BY		ADDRESS		PHONE		TIME	DAY	DATE	
DISCOVERED BY		ADDRESS		PHONE		TIME	DAY	DATE	

PAGE 1 OF 4 PAGE REPORT.~~XXXXXXXXXXXX~~

Assigned to car 9236 with DETECTIVE HUBBARD received an office assignment from SERGEANT DUGAN to investigate a DEAD BODY at Arlington and Thornhill Ave. Assignment received at 3:15 PM. Arrived at the scene at 3:30 PM and together with CAPTAIN WRONA, and SERGEANT MALLOY on car 651, PATROLMAN SOBOCINSKI #2157 and PATROLMAN GUNSCH #2354 on car 603, DETECTIVE KANE, DETECTIVE PETRICK and DETECTIVE CRAWFORD on car 9151 investigated.

VICTIM.....UNIDENTIFIED BLACK FEMALE.

This female was conveyed to the morgue by PATROLMAN GLASNEY #2444 and PATROLMAN LILLASH #331 on car 621 where she was pronounced DOA by DOCTOR GERBER, COUNTY CORONER at 5:05 PM.

MORGUE.....The undressing of the victim was witnessed by DET. MC KIBBEN on car 9234 and the following was found:

- 1) One white and blue pillow, make: BLESSED SLEEP, with blood on same.
- 2) One white sheet was obtained from around the victim's legs containing blood. No markings on this sheet.
- 3) One brown and yellow prints 3/4 length house coat, with black trim around the neck. This neck lining appeared to contain several stab holes. The brown and yellow print pattern appeared to be in 8 inch by 8 inch blocks with alternating single designs and the adjacent blocks contained four designs. The upper portion of the house coat was soaked with blood.
- 4) The victim also had a light blue, trimmed in white, lingerie waist length top. Small size, 100 % nylon. The make was MOVIE STAR.
- 5) Underneath #4 was a blue matching top, which appeared to contain several stab holes of the right side. This also had blood on same. This article was also 100 % nylon, small size and MOVIE STAR make.
- 6) There was also a white sheet underneath the victims body, containing blood and fetal material on same. This sheet appeared to have several holes in the center.

ROWELL HUBBARD

CONT ON PAGE TWO

COF C71-10

INVESTIGATING OFFICERS		1605		PLATOON	CAR	APPROVED BY	
E. A. Rowell		DAYS		9236	Walter Dugan		
WEATHER	<input checked="" type="checkbox"/> CLEAR <input type="checkbox"/> CLOUDY	<input type="checkbox"/> RAIN <input type="checkbox"/> SNOW	TEMP 61°	WIND 8 N.	<input type="checkbox"/> A. I. U. <input type="checkbox"/> S. I. U.	<input type="checkbox"/> REQUESTED <input type="checkbox"/> NOT REQUESTED	<input checked="" type="checkbox"/> ON SCENE
ASSIGNMENT RECEIVED FROM:				TIME ASSIGNED: 3:30 PM			
<input checked="" type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER				COMPLETED 10:30 PM			

DEFENDANT'S EXHIBIT

L-6

ALL-STATE LEGAL

## SUPPLEMENTARY REPORT

DEAD BODY/

CLEVELAND POLICE DEPARTMENT

000265  
51777

SUBJECT or CRIME

SUSPECTED HOMICIDE

DATE OF THIS REPORT SEPT. 18, 1974

COMPANY OR OWNER

ADDRESS

PHONE

AGE

SEX

RACE

M-S

TIM

ADDRESS

PHONE

UNIDENTIFIED BLACK FEMALE

ADDRESS OF OCCURRENCE

TYPE OF PLACE

ZONE

TIME OF OCCURRENCE

DATE OF OCCURRENCE

DAY OF WEEK

SEPT. 18, 1974

WEDNESDAY

SECURED BY

ADDRESS

PHONE

TIME

DAY

DATE

DISCOVERED BY

ADDRESS

PHONE

TIME

DAY

DATE

PAGE 2 OF 4 PAGE REPORT.

FOLLOW-UP REPORT ☐

- 7) There was also a white pillow case under the back of the victim with blood on it. There were no markings on the pillow case.
- 8) There was also a tan bed spread underneath the victim, with no markings. A laundry tag was located with the number 167 in pink. The spread was MORGAN JONES FULL MADE IN USA.
- 9) Also under the victim there was a white mattress cover with blood on same and extremely worn. There was a tag on the mattress cover which was unidentifiable.
- 10) There was also a white towel underneath the victim with a one inch yellow strip down the center. The victim did not have on a Bra or Panties.

## PERSONAL PROPERTY OF THE VICTIM CONSISTED OF THE FOLLOWING:

- 1) One yellow metal ring on the second finger of the right hand, next to the thumb. The ring appeared to be braided copper or metal.
- 2) The victim also had two yellow metal rings, of which one contained a white stone. The rings were on the ring finger of the left hand.

## PHYSICAL APPEARANCE OF THE VICTIM:

- 1) All of the victims fingernails and toenails were polished in light pink color.
- 2) There appears to be an old surgery or unattended cut scar, 1 1/2 inches long and 1/2 inch wide on the inner portion of the right leg.
- 3) There also appears to be four stab wounds of the right abdomen.
- 4) There was an abrasion of the left knee.
- 5) The victim sustained numerous stab wounds and cut wounds to the front and left and right side of her neck.

THERE WERE NO OUTSTANDING SURGICAL SCARS, MISSING TEETH, OR BIRTH MARKS.

~~RECEIVED~~

CONT ON PAGE THREE

ROWELL HUBBARD

COFC 71-10

INVESTIGATING OFFICERS		1606	PLATOON	CAR	APPROVED BY
Ernest Rowell			DAYS	9236	Walter Dignan Sgt.
WEATHER	<input checked="" type="checkbox"/> CLEAR <input type="checkbox"/> CLOUDY	TEMP 61 °	WIND 8 N	<input type="checkbox"/> A. I. U. <input type="checkbox"/> S. I. U.	<input type="checkbox"/> REQUESTED <input type="checkbox"/> NOT REQUESTED
ASSIGNMENT RECEIVED FROM:			TIME ASSIGNED		
<input checked="" type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER			COMPLETED		



## SUPPLEMENTARY REPORT

CLEVELAND POLICE DEPARTMENT

000268 COMPLAINT NO.

SUBJECT or CRIME

DATE OF THIS REPORT

COMPANY OR OWNER

ADDRESS

PHONE

AGE

SEX

RACE

M-S

FIM

ADDRESS

PHONE

UNIDENTIFIED BLACK FEMALE

ADDRESS OF OCCURRENCE

TYPE OF PLACE

ZONE

TIME OF OCCURRENCE

DATE OF OCCURRENCE

DAY OF WEEK

SECURED BY

ADDRESS

PHONE

TIME

DAY

DATE

DISCOVERED BY

ADDRESS

PHONE

TIME

DAY

DATE

PAGE 4 OF 4 PAGE REPORT.

FOLLOW-UP REPORT ☐

occupied by two persons. Mr. Kojak stated that Watts said he had just gotten in from the airport and did not have any baggage with him at this time. Mr. Kojak had observed that Watts arrived at the hotel in a BLUE CADILLAC, OHIO LICENSE # FF 9941, and jotted this down on his registration card. Mr. Kojak demanded identification from Watts and Watts presented his Ohio Driver License, number CPO88092, with the name W. H. WATTS 12325 Castlewood Ave.

We went directly to 12325 Castlewood Ave. and on our arrival we observed PATROLMAN HOWARD #705 and PATROLMAN OLIVER #2484 on car 620 in front of the house. Inside we interviewed MELBA WATTS 47 B F WID. DOB 9-1-27 and learned that she is the mother of the suspect. Mrs. Watts had called the police because of a BURGLARY at her home. She believes this was done by her son, Willie. She further stated that Willie is AWOL from the army and that he had been arrested for cashing bad checks. On 9-16-74 Mrs. Watts had gone to County Jail and bonded Willie out. He was turned over to the Army M.F.'s and she thought he would be sent back to his army base. However, he was released by the army on his own recognizance and was suppose to leave by air on 9-17-74. He does not have a key to the house at 12325 Castlewood. On 9-17-74 Mrs. Watts came home and found that Willie had gotten into the house by opening the upstairs window. He told her that he had missed his plane and could not get into the house. Today she came home and found that the house had been broken into and her MINK STOLE had been taken. There was also other items, a typewriter and TV set was also taken. A key to the front door was taken and she feels sure that this was done by her son.

It is our opinion that this crime was committed by Willie H. Watts, who is apparently attempting to sell his mothers coat and her other valuables to get money to get away from this city.

ROWELL HUBBARD

NO VALUABLES  
TAKEN FROM  
BODY OR  
DET ROOM.

COFC 71-10

INVESTIGATING OFFICERS

E. A. Rowell

1606

PLATOON

CAR

APPROVED BY

DAYS 9236

Walter Dugan

WEATHER

☐ CLEAR☐ RAIN☐ CLOUDY☐ SNOW

TEMP

°

WIND

☐ A. I. U.☐ REQUESTED☐ ON SCENE☐ S. I. U.☐ NOT REQUESTED

ASSIGNMENT RECEIVED FROM:

☐ RADIO☐ DISTRICT☐ DET. BUR.☐ OTHER

TIME ASSIGNED

COMPLETED

**SUPPLEMENTARY REPORT**

DEAD BODY/  
SUSPECTED HOMICIDE

CLEVELAND POLICE DEPARTMENT

SUBJECT or CRIME: **SUSPECTED HOMICIDE** DATE OF THIS REPORT: **9/18/74** DEFENDANT NO. **000267**

COMPANY OR OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_ AGE: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_ M-S: \_\_\_\_\_

VICTIM: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

ADDRESS: **FOREST HILLS SWIMMING POOL** TYPE: **POOL** CLERK ID # **133** ZONE: **F C**

TIME OF OCCURRENCE: \_\_\_\_\_ DATE OF OCCURRENCE: **9-18-74** DAY OF WEEK: **WED**

SECURED BY: **Sound at 3:PM** ADDRESS: **9-18-74** PHONE: \_\_\_\_\_ TIME: \_\_\_\_\_ DAY: **WED** DATE: \_\_\_\_\_

DISCOVERED BY: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_ TIME: \_\_\_\_\_ DAY: \_\_\_\_\_ DATE: \_\_\_\_\_

PAGE **1** OF **1** PAGE REPORT. FOLLOW-UP REPORT **BIAT 329**  
**LAB 312**

Assigned this date 9/18/74 to 9151, and while in company with Det. Kane, and Ptlm. Crawford #2423 received an assignment from radio to Forest Hills Swimming pool, Arlington and Thornhill. Responded and arrived at 4:00PM

Ten Plain Dealer papers dated Monday August 26, 1974 brought in to the SIU office for possible blood typing and fingerprint check.

Processed with Benzine Alcohol, one partial palm print developed photographed and to be known as L.P. # 29187

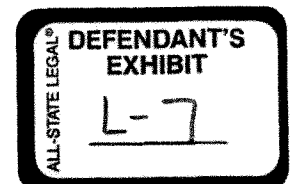
Twenty (20) Crime scene expos taken of body and newspapers and general crime scene. To be known as CS# 20402.

Trace to Forensic Lab- Three Plain Dealer papers found approximately 61 feet from the body easterly, with blood stains on same, for possible typing. Leaves and twigs from under the body with possible blood stains on same. Leaves, twigs, and dirt from ground next to the body. Leaves and twigs from the small tree the body lay under.

Pillow case found 21 feet from body in northerly direction, with possible blood stains on same. Found next to the curb of the parking lot.

A brown plastic pill bottle with name of Ron Martin found near the head of the body.

Arrested: Willie Watts CPD # 141061



COFC 71-10

INVESTIGATING OFFICERS: **Jack 2287-Kane 748 - Crawford 2423**

PLATOON: **2nd.** CAR: **9151** APPROVED BY: **[Signature]**

WEATHER: ☒ CLEAR ☐ RAIN ☐ CLOUDY ☐ SNOW TEMP: **60** ° WIND: **8 n.**

ASSIGNMENT RECEIVED FROM: ☒ RADIO ☐ DISTRICT ☐ DET. BUR. ☐ OTHER

TIME ASSIGNED: **3:50PM** 9/18/74  
COMPLETED



## SUPPLEMENTARY REPORT

DEAD BODY  
SUBJECT or CRIME SUSPECTED HOMICIDE

CLEVELAND POLICE DEPARTMENT

DATE OF THIS REPORT 9-19-74

000253  
51777

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
CLASS I						
NAME	ADDRESS	PHONE				
REGINA ANDREWS (nee Mason)	3301 EUCLID AVE #133	391-2500	24	F	B	M
ADDRESS OF OCCURRENCE	TYPE OF PLACE	ZONE				
300 yds South of Arlington Ave-	100 yds West of Forest Hills Swim Pool	603				
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK				
Found at 3:00 P.M.	September 18, 1974	Wednesday				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 1 OF 3 PAGE REPORT.

FOLLOW-UP REPORT ☒ XXXX

This date assigned to car 9240 in company with DET. ALLEN #83, further investigated this crime.

Received a call from SGT STEEL, of Third District Desk and he informed us that a Black female was at the desk now and wanted to see the body that was found this afternoon, for might be possibly her daughter.

Went to the Third Dist. desk and there met with a Black Female who identified herself as one MARY L. MASON B-F-41, of 640 East 107th St. (761-9801) she was accompanied by her son REGINALD MASON B-M-19, same address and a couple of other friends of the family. MRS. MASON informed us that her daughter REGINA B-F-24, was missing from her Motel Room since this morning. Learned that REGINA is married to ISIAH ANDREWS and they have been living at the COLONIAL MOTEL since their marriage August 24, 1974. When asked where her husband was at, MRS. MASON stated back at the hotel.

Accompanied the MASONS to the Coroners Office and there the body was viewed by REGINALD, and at which time he positively identified the victim as his sister.

UNIDENTIFIED BODY...NOW POSITIVELY IDENTIFIED:

REGINA ANDREWS (nee Mason) B-F-24-M, dob 7-23-50, resides at 3301 Euclid Ave, Colonial Motel (391-2500) Room 133. She lives with her husband ISIAH ANDREWS.

Left the Coroners Office and proceeded to 3301 Euclid Ave, and there went to room 133 and met with a Black Male who identified himself as one ISIAH ANDREWS B-M-36-M, dob 4-20-38, No record SID, No Wants. We informed him that his mother-in-law had just identified his wife as the victim of a possible homicide. We then questioned ISIAH as to what might have happened to his wife and he stated that he left the motel at 8:00 A.M. this morning and went to JAY VEAS Clothing Store to pick-up a couple of suits and when he left his wife was in the motel room wearing LIGHT BLUE and WHITE LINGERIE. He returned at about 10:30 A.M. and found the TV on and his wife gone. He stated she was going to go downtown and do some shopping, and he never thought about anything, until about 6:00 P.M. this evening when she wasn't home, he then

INVESTIGATING OFFICERS	PLATOON	CAR	APPROVED BY
DET. HARRIS #901	ni tes	9240	<i>[Signature]</i>
DET. ALLEN #83			
WEATHER	TEMP	WIND	
<input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW	<input type="checkbox"/> A. I. U. <input type="checkbox"/> S. I. U.	<input type="checkbox"/> REQUESTED <input type="checkbox"/> NOT REQUESTED	<input type="checkbox"/> ON SCENE
ASSIGNMENT RECEIVED FROM:	TIME ASSIGNED:	COMPLETED	
<input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER			

COF C 71-10

DEFENDANT'S  
EXHIBIT

L-8

SUPPLEMENTARY REPORT									
DEAD BODY		CLEVELAND POLICE DEPARTMENT				000254			
SUBJECT OF CRIME		DATE OF THIS REPORT				PRINT NO.			
SUSPECTED HOMICIDE		9-19-74				51777			
COMPANY OR OWNER		ADDRESS		PHONE		AGE	SEX	RACE	M-S
CLASS I									
TIM		ADDRESS		PHONE					
REGINA ANDREWS (nee MASON)		3301 Euclid Ave #133		391-2500		24	F	B	M
ADDRESS OF OCCURRENCE		TYPE OF PLACE				ZONE			
TIME OF OCCURRENCE			DATE OF OCCURRENCE			DAY OF WEEK			
SECURED BY		ADDRESS		PHONE		TIME	DAY	DATE	
DISCOVERED BY		ADDRESS		PHONE		TIME	DAY	DATE	

PAGE 2 OF 3 PAGE REPORT.FOLLOW-UP REPORT ☒ XXXX

called MRS MASON. He further stated he called the Hospitals and called Missing Person, but found nothing. MR ANDREWS informed us that he is self-employed FASHION DESIGNER and also works as a salesman for the H.G. WHITING FISH COMPANY.

Returned to the Homicide Office while typing this report recieved a call from the suspect WILLIE WATTS, who stated that he heard we wanted to talke to him about somethihg. We told him we wanted to ask him a few questions about an incident. WILLIE stated he would be home and for us to come out. We proceeded to 12325 Castlwood in company with Car 614 Ptl's BLOUNT #1919 and LARD #2091 and Car 615 Ptl's Anderson 2476 and BREMER #625. On our arrival met with MRS. WATTS who was upset, and she stated he had just taken her car and left. He told her he was going to get a friend of his by the name of RONALD, who would tell us that WILLIE was with him to-day and is not involved in anything. We waited in the home for about 20-minutes but WILLIE never returned. MRS. WATTS informed us that her car is a 1968 DODGE DART LICENSE MW 945 and is BRONZ in color. MRS WATTS also told us her son had his clothes packed and was getting ready to go back to the Army.....

We left the WATTS residence and toured the area for about 40 minutes checking to see if WILLE would return, but he did not. It is believed that WILLIE called this Office in front of his Mother to try and impress her he had nothing to do with this crime and then she let him take the car on the pretense that he was going to get his friend and return home. She gave him the car and he left to avoid being arrested.....

ADAM WOLF  
 \*\*\*\*NOTE While at the Colonial Motel we also interviewed the night clerk one ADAM WOLF W-M-44, of 3301 Euclid Ave #235 (395-2500). WOLF informed us he works from 11:00 AM to 11:00 PM. He stated he knew the ANDREWS, but he didn't notice anything unusual today. We showed the Photo of WILLIE WATTS, to ascertain if he might have been around this morning, but WOLF stated he didn't recall seeing this male. WOLF then informed us that CHARLES GALLOWAY W-M, relieves him at 11:00 A.M. and maybe he could gives some information as to seeing MRS. ANDREWS leave this morning.....

STIGATING OFFICERS		PLATOON		CAR	APPROVED BY	
DET HICKS #901		nites		9240	[Signature]	
DET ALLEN #83						
WEATHER		A. I. U.		REQUESTED		ON SCENE
<input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW		<input type="checkbox"/> S. I. U. <input type="checkbox"/> NOT REQUESTED				
TEMP _____ WIND _____						
ASSIGNMENT RECEIVED FROM:						
<input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER						
TIME ASSIGNED _____ COMPLETED _____						

## SUPPLEMENTARY REPORT

DEAD BODY		CLEVELAND POLICE DEPARTMENT		000255		SAINT NO.	
SUBJECT OF CRIME (SUSPECTED HOMICIDE)		DATE OF THIS REPORT 9-19-74		51777			
COMPANY OF DRIVER	ADDRESS	PHONE	AGE	SEX	RACE	M-S	
CLASS 1							
ACTIM	ADDRESS	PHONE					
REGINA ADRIENS (nee MASON)	3301 LUCID AVE #133	391-2500	24	F	B	M	
ADDRESS OF OCCURRENCE	TYPE OF PLACE				ZONE		
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK					
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE		
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE		

PAGE 3 OF 3 PAGE REPORT.

FOLLOW-UP REPORT ☒ XXXX

At 3:05 A.M. received a call from Car 614 Ptl's BLOUNT #1919 and LARD #2091 with information that the auto of MRS. WATTS had returned and the suspect was now in the house.

In Company with DET. STANIC and McCAFFERY on Car 9239 and the formentioned Officers caused the Arrest of the below male.

ARRESTED: WILLIE H. WATTS B-M-27-M, resides at 12325 CASTLEWOOD AVE. DOB 9-17-47, CPD# 141061.

This male was arrested in the home in presence of his mother MELBA WATTS, his uncle WALLACE RIDDLE and his girlfriend LORETTA BAKER, and at which time the suspect was advised of his CONSTITUTIONAL RIGHTS by this officer.

The suspect was conveyed to Central Prison Unit by Car 9239. When asked about this crime this suspect stated he didn't do anything and had friends to state where he was all day.

COF C71-10

STANDING OFFICERS		PLATOON	CAR	APPROVED BY
DET HICKS #901	DET. ALLEN #83	nites	9240	<i>[Signature]</i>
WEATHER	<input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW	TEMP	<input type="checkbox"/> A. I. U. <input type="checkbox"/> REQUESTED <input type="checkbox"/> ON SCENE	
			<input type="checkbox"/> S. I. U. <input type="checkbox"/> NOT REQUESTED	
ASSIGNMENT RECEIVED FROM:		TIME ASSIGNED		
<input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER		COMPLETED		



## SUPPLEMENTARY REPORT

CLEVELAND POLICE DEPARTMENT

000259  
51777

SUBJECT OF CRIME HOMICIDE

DATE OF THIS REPORT 9-19-74

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
FIM	ADDRESS	PHONE				
REGINA ANDREWS	3301 EUCLID AVE. #133	391-2500	24	F	B	M
ADDRESS OF OCCURRENCE	TYPE OF PLACE	ZONE				
FOUND 300 YDS. SO. OF ARLINGTON AVE. & WEST OF FORE-T HILLS SWIM POOL	603					
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK				
FOUND AT 3:00 PM	SEPTEMBER 18, 1974	WEDNESDAY				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 1 OF 3 PAGE REPORT.

FOLLOW-UP REPORT ☒

Assigned to car 9237 with DETECTIVE HUBBARD further investigated the above crime.

At the Jail interviewed the arrested WILLIE H. WATTS who told us the following story: On Tuesday, September 17, 1974 at about 10:30 PM he registered at the Howard Johnson Motel at University Circle, at the time he was in company with LILLY RUTH MURRAY 22-B F S, DOB 7-16-52, 6315 QUIMBY AVE. 361-4521 and DONALD ROBINSON, 12325 CHESTERFIELD AVE. 541-8294. They riding in a 1971 Cadillac 4 door sedan. This auto is suppose to be the property of Donald's brother FLIN ROBINSON. Unable to check this today. Watts went on to say that he and Lilly stayed in the room for a couple of hours then Donald returned with the following people: FLIN ROBINSON, 12325 Chesterfield Ave., LORETTA GROCE 20 B F M and JEAN MURRAY 15 B F S DOB 4-5-59, both of 6316 Quimby Ave. All stayed until about 3:30 AM, September 18, 1974, then the latter four left. Watts and Lilly stayed until about 8:00 AM then Lilly called her mother; MARY MURRAY (DOROTHY) 40 B F M DOB 8-17-34 also of 6316 Quimby Ave. This is the mother of Jean also. Mrs. Murray then drove to the motel and picked up her daughter and Watts, this was at approximately 10:30 AM. We later talked with the females listed above and all cooperated the story of Watts. We are attempting to set up a Polygraph examination for Willie H. Watts for the morning of September 20, 1974. We now feel that this male is not involved.

At 3301 Euclid Ave. the Colonial Motel we interviewed the following: BETTY WORTHY 35 W F M DOB 7-4-39 who lives in apartment #267. She told us that she has known the victim since she moved into the building in August, 1974. That she has never known the victim to go anywhere on a bus or by herself. Further that she has never known the victim to have any friends in her apartment. She also stated that the victim and her husband have been making preparations to move to a new place somewhere out on Euclid Ave. Mrs. Worthy also told us that she saw the victim talking with the husband at about 11:00 AM Wednesday, after this the husband left and did not return until about

ROBELL HUBBARD

CONT ON PAGE TWO

COF C 71 - 10

INVESTIGATING OFFICERS	PLATOON	CAR	APPROVED BY
Robert Hubbard	DAYS	9237	Wally Dorian
WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW	TEMP	WIND	<input type="checkbox"/> A. I. U. <input type="checkbox"/> S. I. U. <input type="checkbox"/> REQUESTED <input type="checkbox"/> NOT REQUESTED <input type="checkbox"/> ON SCENE
ASSIGNMENT RECEIVED FROM: <input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER	TIME ASSIGNED COMPLETED		

DEFENDANT'S EXHIBIT

L-9

## SUPPLEMENTARY REPORT

CLEVELAND POLICE DEPARTMENT

000260777  
COMPLAINT NO. XXXXXXXX

SUBJECT or CRIME

DATE OF THIS REPORT

COMPANY OR OWNER

ADDRESS

PHONE

AGE

SEX

RACE

M-S

FIM

ADDRESS

PHONE

REGINA ANDREWS

ADDRESS OF OCCURRENCE

TYPE OF PLACE

ZONE

TIME OF OCCURRENCE

DATE OF OCCURRENCE

DAY OF WEEK

SECURED BY

ADDRESS

PHONE

TIME

DAY

DATE

DISCOVERED BY

ADDRESS

PHONE

TIME

DAY

DATE

PAGE 2 OF 3 PAGE REPORT.

FOLLOW-UP REPORT ☒

4:00 PM. We also interviewed, MARY SMITH 64 B F DOB 9-20-10, 3376 E. 128 ST. 263-7406 who stated she also saw the husband talking to the victim and that later she and Mrs. Worthy heard the TV in the victims room playing very loud. Also, CHARLES GALLOWAY 36 W M S, 3595 E. 65 ST. 883-5407, Desk Clerk at the motel who stated that the victims husband came into the office and got a key to his room at about 12:00 Noon, later he came back and gave the clerk two keys. Also LINDA CLOUD 20 B F M DOB 8-26-54 apt #131, this apt. is next door to the victims apartment. Mrs. Cloud stated that she did not hear any noise in the victims apartment on Wednesday, she was home at about 12:00 Noon. She further said that she saw the victim get into Mr. Andrews auto at about 2:30 AM, Wednesday Morning.

We questioned ISAIAH ANDREWS 36 B M WID. DOB 4-20-38, 3301 Euclid Ave. Apt # 133. He stated that he left home at 7:40 AM, Wednesday, went to 1375 W. 6th St. Jay Vee's Clothing Store and picked up some clothing. He stayed at this store for about two hours he then went to E. 40 and Woodland Ave. Fishers Food Warehouse and attempted to sell fish to them, he talked with Mr. Sinatra, Meat Buyer. From there he went to the Muslim Temple #18 on Holton Ave. at E. 92 st. arriving at about 11:30 AM and staying until approximately 12:00 Noon. at About 12:30 PM he went home, he was unable to get in, so he left immediately and went back to Jay Vee's Clothing. He stayed until about 1:30 PM and went to E. 105 and St. Clair, McDonald's Rest. At about 2:00 PM he went back to Temple #18. At about 3:00 PM he went to the Farmers Market, then went home at 4:00 PM. His wife was still not there so he called her mother (Unable to contact her at this time) and told her that she was missing. He then went to the Police Department at Central Station and inquired about his wife, with negative results. He returned home and stayed until contacted by detectives.

We checked at Fisher Foods and talked with HERMAN SINATRA 43 W M 3330 Bradford Ave. Clev. Hgts. 932-7061 and learned from him that Mr. Andrews had been in to see him at about 11:30 AM, Wednesday and stayed for about 10 Minutes. We interviewed ROLAND WILLIAMS 60 B M M DOB ROWELL HUBBARD

CONT ON PAGE THREE

COFC 71-10

INVESTIGATING OFFICERS

E. &amp; R. 1606

PLATOON

CAR

APPROVED BY

DAYS

9237

Walter Duggan Sgt

WEATHER

☐ CLEAR  
☐ CLOUDY☐ RAIN  
☐ SNOW

TEMP

WIND

☐ A. I. U.  
☐ S. I. U.☐ REQUESTED  
☐ NOT REQUESTED☐ ON SCENE

ASSIGNMENT RECEIVED FROM:

☐ RADIO ☐ DISTRICT ☐ DET. BUR. ☐ OTHERTIME ASSIGNED  
COMPLETED



## SUPPLEMENTARY REPORT

CLEVELAND POLICE DEPARTMENT

000261 COMPLAINT NO.

## SUBJECT OF CRIME

DATE OF THIS REPORT

COMPANY OR OWNER

ADDRESS

PHONE

AGE

SEX

RACE

M-S

VICTIM

ADDRESS

PHONE

REGINA ANDREWS

ADDRESS OF OCCURRENCE

TYPE OF PLACE

ZONE

TIME OF OCCURRENCE

DATE OF OCCURRENCE

DAY OF WEEK

SECURED BY

ADDRESS

PHONE

TIME

DAY

DATE

DISCOVERED BY

ADDRESS

PHONE

TIME

DAY

DATE

PAGE 3 OF 3 PAGE REPORT.

FOLLOW-UP REPORT ☒

8-16-14, 16202 Tarkington Ave. 587-2496 and HENRY MONTGOMERY 56 B M M DOB 5024-18, 10206 Parkgate Ave. 851-1349 and MORTON VENIG W M M, 1375 W. 6th St. All employees of Jay Vee's Clothing. Learned that The store was opened at 8:50 AM and that I. Andrews came in and bought some clothes, further that he later returned at about 12:30 PM and returned some of the clothes. Further learned that this male came in on Friday, September 13, 1974 and gave the store a check for \$600.00, this check bounced and ~~the~~ Andrews told Venig that this could not be because his wife had put the money in the bank. It was later found that she had not put money in the bank.

We contacted SIU and had the victims motel room checked for Blood also check was was the auto of Isaiah Andrews a 1971 Ford Four door, Ohio License DE 4899 with negative results.

We later learned that the victim had asked and received a second BBD SPREAD, further that there is always a third pillow in a HIDE-A-BED in the victims apartment. The second spread and pillow are missing from the room. Mrs. Andrews stated that when he returned home at 4:00 PM Wednesday the bed was made up and nothing seemed to be wrong or missing from the room.

Andrews and the victim have been married since August 24, 1974, he stated that they have argued about his joining the Muslim faith, the part about her having to wear long skirts and headress, she also was upset about his quitting his job (He recently quit and started selling clothes and fish for the Muslims).

It would appear that Isaiah Andrews killed his wife in their apartment and carried her to the spot where she was found. Returning home he was able to clean up to the point that SIU was unable to find any evidence of a crime having taken place in the room. It is our opinion that no one else would benefit by moving the body from the motel room after killing the victim but Andrews.

ANDREWS WAS ARRESTED AND HELD FOR INVES. C/W THIS CRIME.

ROWELL HUBBARD

COF C 71 - 101

STIGATING OFFICERS

PLATOON

DAYS 9237

CAR

APPROVED BY

WEATHER

☐ CLEAR☐ RAIN☐ CLOUDY☐ SNOW

TEMP

0

WIND

☐ A. I. U.☐ S. I. U.☐ REQUESTED☐ NOT REQUESTED☐ ON SCENE

ASSIGNMENT RECEIVED FROM:

☐ RADIO☐ DISTRICT☐ DET. BUR.☐ OTHER

TIME ASSIGNED

COMPLETED

# **CLASS** **SUPPLEMENTARY REPORT**

CLEVELAND POLICE DEPARTMENT

000257 COMPLAINT NO.

SUBJECT or CRIME HOMICIDE

DATE OF THIS REPORT 9-20-74

51777

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
VICTIM	ADDRESS	PHONE				
REGINA ANDREWS	3301 EUCALYPTUS AVE. #133	391-2500	24	F	B	M
ADDRESS OF OCCURRENCE	TYPE OF PLACE	ZONE				
300 YRS SOUTH OF ARLINGTON AVE. 100 YRS WEST OF FOREST HILLS PARK		603				
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK				
FOUND AT 3:00 PM	SEPTEMBER 18, 1974	MONDAY				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 1 OF 2 PAGE REPORT.

FOLLOW-UP REPORT ☒

Assigned to car 9237 with DETECTIVE HUBBARD further investigated the above crime.

Conveyed the arrested ISAIAH ANDREWS to SIU where a polygraph examination was conducted by DETECTIVE LUCKAY. Later talked with Det. Luckay who informed us that this male lied on almost every question asked of him. He was asked "Did you kill your wife in your apartment and take her body to Forest Hills Park and leave her" his answer was negative, Det. Luckay described the polygraph machines response as being most positive in indicating that he had lied.

We requested that Andrews make a written statement and he agreed. In his statement he told pretty much the same story as he had told us the previous day. Describing his trips around town, telling about which street he turned on etc. We asked him if he thought this type of statement was relevant in so far as his wife having ~~been~~ been murdered, his answer was positive. Thru out his statement he procrastinated and told many things unrelated to this crime.

We contacted LIEUTENANT HOWARD 41 B M M, 2813 E. 92 St. 229-2115 Nation of Islam and learned from him that I. Andrews is not yet a Muslim and that he did in fact come by temple #18 twice yesterday.

Contacted BETTY WORTHY of the Colonial Motel and re-questioned her and learned that at about 11:00 AM, Sept. 18 she saw I. Andrews standing in his doorway talking to someone or something, she is unable to say for sure if he was his wife he was talking to or not. She did say, however, that what ever he was talking to seemed to be wearing a headress and attire of a Muslim Lady. She will make a statement on Saturday, Sept 21.

Earlier we contacted DONALD ROBINSON 25 B M S DOB 9-4-49, 12326 Chesterfield Ave. and learned from him that he had in fact been

HOWELL HUBBARD

DEPT CL. PAGE TWO

COFC 71-10

INVESTIGATING OFFICERS

PLATOON  
DAYS 9237

CAR

APPROVED BY

WEATHER ☐ CLEAR ☐ RAIN  
☐ CLOUDY ☐ SNOW TEMP. ° WIND

☐ A. I. U.  
☐ S. I. U.

☐ REQUESTED  
☐ NOT REQUESTED

☐ ON SCENE

ASSIGNMENT RECEIVED FROM:

☐ RADIO ☐ DISTRICT ☐ DET. BUR. ☐ OTHER

TIME ASSIGNED  
COMPLETED

DEFENDANT'S  
EXHIBIT

L-10

STATE LEGAL

## SUPPLEMENTARY REPORT

CLEVELAND POLICE DEPARTMENT

000258 COMPLAINT NO.

SUBJECT or CRIME

DATE OF THIS REPORT

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
VICTIM	ADDRESS	PHONE				
ADDRESS OF OCCURRENCE	TYPE OF PLACE		ZONE			
TIME OF OCCURRENCE	DATE OF OCCURRENCE		DAY OF WEEK			
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 2 OF 2 PAGE REPORT.

FOLLOW-UP REPORT ☒

with the arrested WILLIE H. WATTS at the Howard Johnsons Motel on Tuesday, Sept 17. That he left about 3:00 AM and further that he was driving his brothers auto a 1972 Cadillac Sedan, blue color, Ohio license #FF 9994.

WILLIE H. WATTS was released from his arrest for Invest. c/w Homicide and is now being held by the Fugitive Unit, Det. Borenski.

Learned from Det. McKibben that when he witnessed the undressing of the victim at the morgue she was in a state of rigor that would indicate that she had expired sometime early Wednesday morning. Our estimation is that she died sometime between 2:00 AM and 5:00 AM Wednesday morning.

It is our belief that I. Andrews killed his wife during this time and under cover of darkness carried her body to his car, which if parked at the closest point to his room would be approximately 10 yards and there is a 3 foot high partition the entire length of the way which would cover his moving the body. We attempted to contact LINDA CLOUD in apartment #131 who earlier told of having seen Andrews leave in his auto at about 2:30 AM on Wed. Morning but we received no response at her door. We further contend that Andrews saw the maid, Betty Worthy working across from his apt. and stood at his door and pretended to be talking to his wife at about the time she indicated to establish that his wife was still alive at this time.

Contacted MR. CONNELIOUS at the Federal Parole Authority and he advised us that Andrews had a file in his office and is now on activity parole. He was sentenced to Life for the murder of Sgt. PAUL GRANT at Camp LeJuene, North Carolina, January 10, 1958.

REQUEST: Day platoon, pick up BETTY WORTHY, 3501 Euclid #267, at 10:00 AM, Saturday, September 21, 1974 convey her to the Criminal Statement Unit and get her statement.

ROJELL HUBBARD

COFC 71-10

INVESTIGATING OFFICERS		PLATOON	CAR	APPROVED BY
		DAYS 9237		
WEATHER	<input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW	TEMP	<input type="checkbox"/> A. I. U. <input type="checkbox"/> REQUESTED <input type="checkbox"/> S. I. U. <input type="checkbox"/> NOT-REQUESTED	<input type="checkbox"/> ON SCENE
ASSIGNMENT RECEIVED FROM:		TIME ASSIGNED		
<input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER		COMPLETED		



**CLASS 1****SUPPLEMENTARY REPORT**

CLEVELAND POLICE DEPARTMENT

000266 COMPLAINT NO.

SUBJECT or CRIME HOMICIDE

DATE OF THIS REPORT SEPT. 21, 1974 5 1 7 7 7

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
CTIM	ADDRESS	PHONE				
REGINA ANDREWS	3301 EUCLID AVE. #133	391-2500	24	F	B	M
ADDRESS OF OCCURRENCE	TYPE OF PLACE	ZONE				
300YDS. SOUTH OF ARLINGTON-100YDS. WEST OF FOREST HILLS SWIMMING POOL		603				
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK				
FOUND AT 3:00 PM	SEPTEMBER 18th., 1974	WEDNESDAY				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 1 OF 1 PAGE REPORT.FOLLOW-UP REPORT ~~XXX~~

While assigned to car 9237 this date, alone, I further investigated the above homicide of REGINA ANDREWS.

I went to 3301 Euclid Ave. and there I interviewed a BETTY WORTHY who lives at this address and is also employed as a maid there. She then told me that she had seen the suspect ISAIAH ANDREWS at his apartment on the 18th of September on a Wednesday around 11:00 AM. She said that she new it had to be around 11:00 AM because she had just went back to room #131 to call a MRS. CLOUD whom she was to wake-up at 11:00 A.M. She stated that she had observed him standing in his door way talking with his wife at this time. She stated that he then stepped out side for a second after slamming the door real hard, and he then went back into the apartment. After he re-entered the apartment the T.V became real loud and a short time later MR. ANDREWS came out carrying a plastic bag over his shoulder like what over was in it was real heavy. He then went to his car and placed this bag in to the trunk of his car, closed the trunk ~~XXXX~~ and then went back in to the house. A few minuets later he appeared in his door way again, and while standing there he appeared to be talking to someone in the room. She said that she noticed that at the same time appeared to be watching her. He then closed the door and left.

NOTE: THIS WAS THE TIME OF DAY THAT ANDREWS SAID THAT HE HAD RETURNED TO HIS APARTMENT BUT HE COULD NOT GET IN BECAUSE SHE WAS NOT AT HOME AND HE DID NOT HAVE A KEY, SO HE LEFT WITHOUT ENTERING THE ROOM.

This female (BETTY WORTHY) was conveyed to the COUNTY MORGUE where she viewed the bedding that was found with the body of REGINA ANDREWS. She then identified the bed spread as belonging to the hotel but she could not say about the sheets & mattress cover. She did state that the pillow looked like one of there pillows, but she was not for sure. She said that she had issued two ~~SPREADS~~ to MRS. ANDREWS, and there were at least three pillows. A check of this room showed only one bed spread and two pillows. This female was then conveyed to our Statement Unit where a statement was obtained. LINDA CLOUD SAID THAT SHE COULD NOT A STATEMENT UNTIL MONDAY.

I COULD NOT CONSULT THE PROSECUTOR THIS DATE AS IT BEING SATURDAY AND THLY CLOSE AT 12:00 noon. REQUEST HE BE CONTACTED SUNDAY, SEPT. 22, 1974.

HUBBARD

COP C 71-10

INVESTIGATING OFFICERS <i>William Hubbard 641623</i>	PLATOON DAYS	CAR 9237	APPROVED BY <i>[Signature]</i>
WEATHER <input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN <input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW	TEMP <u>0</u> WIND <u>    </u>	<input type="checkbox"/> A. I. U. <input type="checkbox"/> REQUESTED <input type="checkbox"/> S. I. U. <input type="checkbox"/> NOT REQUESTED	<input type="checkbox"/> ON SCENE
ASSIGNMENT RECEIVED FROM: <input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER		TIME ASSIGNED COMPLETED	

DEFENDANT'S EXHIBIT

L-11

## SUPPLEMENTARY REPORT

000256

HOMICIDE, ARREST &  
SUBJECT OF CRIME CLEAN UP

CLEVELAND POLICE DEPARTMENT

COMPLAINT NO.

DATE OF THIS REPORT 9-23-74

5 1 7 7 7

COMPANY OR OWNER	ADDRESS	PHONE	AGE	SEX	RACE	M-S
VICTIM	ADDRESS	PHONE				
REGINA ANDREWS	3301 EUCLID AVE. #133	391-2500	24	F	B	!!
ADDRESS OF OCCURRENCE	TYPE OF PLACE	ZONE				
300 YDS. SO. OF ARLINGTON-100 YDS. WEST OF FOREST HILLS SWIM POOL		603				
TIME OF OCCURRENCE	DATE OF OCCURRENCE	DAY OF WEEK				
FOUNDN AT 3:00 PM	SEPTEMBER 18, 1974	WEDNESDAY				
SECURED BY	ADDRESS	PHONE	TIME	DAY	DATE	
DISCOVERED BY	ADDRESS	PHONE	TIME	DAY	DATE	

PAGE 1 OF PAGE REPORT.

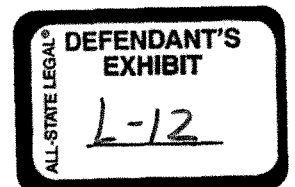
FOLLOW-UP REPORT ☒

Assigned to car 9237 with DETECTIVE HUBBARD further investigated the above crime.

Contacted DOCTOR LESTER ADELSON at the Morgue and learned that Dr. GERBER had pronounced the victim DOA at 5:05 PM, September 18, 1974 and at that time Dr. Gerber found that the body was not in complete RIGOR Dr/ Adelson stated that Rigor usually takes 6 to 8 hours, thus, this would indicate to him that the victim was killed between 9:00 AM and 12:00 Noon on September, 18, 1974. Further, according to the wounds that the victim received, she would have died within a few minutes after she was attacked.

Learned from SISTER APRIL HAMZAH 18 B F DOB 8-1-56, 384 Strandhill Ave. 561-4377, Sectretary to GEON HAMZAH, who is director of the MUSLIM SCHOOL at 2813 E. 92 St. that the arrested ISALAH ANDREWS came into her office at about 11:30 AM, 9-18-74, asked for Mr. Hamzah found that he was not there and left. We were unable to contact Howard Mason, Lieutenant, in charge of the fish sales at this institution to determine if Andrews was selling fish for them, and also to get an exact time that he was seen by Mason at the institution.

Consulted Chief Police Prosecutor, EVERETT CHANDLER, who read the files and statements in this case and issued papers for AGGRAVATED MURDER, RC 2903.01 for ISALAH ANDREWS. This male was charged and will appear in Police Court at 9:00 AM, September 24, 1974, Tuesday.



ROBERT HUBBARD

COFC 71-10

STIGATING OFFICERS	PLATOON	CAR	APPROVED BY
1606	DAYS 9237		Walter Dugan
WEATHER	TEMP	WIND	
<input type="checkbox"/> CLEAR <input type="checkbox"/> RAIN			
<input type="checkbox"/> CLOUDY <input type="checkbox"/> SNOW			
ASSIGNMENT RECEIVED FROM:	TIME ASSIGNED	COMPLETED	
<input type="checkbox"/> RADIO <input type="checkbox"/> DISTRICT <input type="checkbox"/> DET. BUR. <input type="checkbox"/> OTHER			



Feb. 25, 1975

000001

Isiah Andrews  
1560 East 21st Street  
Cuyahoga County Jail  
Cleveland, Ohio 44114

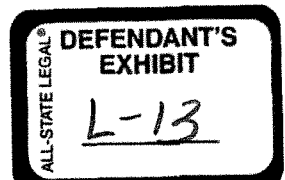
Dear Mr. Marino:

Sir, the following questions and pieces of information may have some bearing on my case. However your office can ascertain whether they do or not.

Mr. Harter or Harter was an elderly member of the Universal Negro Improvement Association (UNIA) who resided at 2200 E. 40th Street in room next to office. He was the Treasurer of the UNIA.

He was, I believe, shot in the back of the head some time between Sept. 18, 1974 and Dec. 16, 1975. Was his murderer ever found?

Michel Levy was also a member of the UNIA; and I believe he too was killed by a shot or shots in the head and gas thrown on his body and set aflame some time between Sept. 18, 1974 and Dec. 16, 1974. His



Page 2

000002

Was his murder ever solved?

He was the photographer at my wedding; and he attended community college.

The following are some people whom you might want to have interviewed as to what part or other positions the above mentioned two dead men had in the UNIA.

Reed, a man about 40 odd years who works at community college. He is about 5'-9" or 5'-11", weighs about 250 pounds, dark complexion.

Joe Davis, 5'-7" or 5'-8", medium built owns a white 1971 Ford 500 gallop.

Cotton was the Mason family lawyer and he also acted as the attorney for the UNIA.

I believe he might be able to furnish you with a complete member listing.

Thinking back, I remember my wife saying: "While she was

Page 3

000003

had some tribal markings made on their bodies. One ~~my~~ wife they were located around the ~~calagale~~ area.

The about things kept coming to me strongly so I thought I would put them on paper. I hope they can help you, sir.

my I see a set of the photos of my wife's body and see the coroner report. There is something in my lower mind which may be clarified by them. It almost comes forward but not quite.

Sincerely,  
Isaiah Andrews

000228

Tennis  
Police 10:30

{ Has pants wet.  
Drove over. }

Miss Mary Ostdorf. Sept - 18 - 1974  
( 12:30 ) 11 P.M.

- married - only about 20

Pat, ask the murder case for that  
MARCH 3, 1975 - it was about  
try the case if not, take the  
plea to nothing, but don't  
I'm a guy, but don't  
know if we can prove it.  
Lamar

Return these files to  
P. LARSON - LAKE SIDE.  
O. Morris

000239

Aug 7

IN SENATE  
JANUARY 1, 1913  
RECEIVED

JOHN J. JELINEK,

Defendant,

-VS-

JOHN J. JELINEK,

Appellee.

Case No. 1:22-cv-00250-JG  
Appeal from the Court of  
Appeals of the State of  
Illinois, No. 12-1234.

IN SENATE  
JANUARY 1, 1913  
RECEIVED

✓  
JOHN J. JELINEK  
Defendant, Prosecuting Attorney  
The Justice Center  
1000 North  
Clark Street, Chicago, Illinois 60610  
Counsel for Appellee

JOHN J. JELINEK  
1000 North  
Clark Street, Chicago, Illinois 60610  
Counsel for Appellee  
1000 North  
Clark Street, Chicago, Illinois 60610  
Counsel for Appellee

ALL-STATE LEGAL®  
DEFENDANT'S  
EXHIBIT

L-15



000240

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APPENDIX B

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000241

APPELLANT'S FACTS

This is an appeal from the denial of Petition To Vacate Judgment filed pursuant to Ohio Revised Code Section 2953.21 et seq., on June 13, 1978.

On June 22, 1978, appellee filed a Motion For summary judgment attaching two affidavits with his motion. Said affidavits from appellant's trial attorney's wherein they deny the allegations which appellant had set forth in his Petition To Vacate; namely, that he was denied the effective assistance of counsel in violation of the Sixth and Fourteenth Amendments to the Constitution of the United States where counsel failed to subpoena certain witnesses made known to him who, had they testified, would have established appellant's innocence and further that appellants counsel was aware that the prosecutors files contained information of a "bloody palm print" found at the scene of the murder and failed to utilize such information or to compel discovery of same and further, that counsel failed to file certain pre-trial motions or to interview potential witnesses.

On July 16, 1978, Judge Francis Sweeney denied appellants Motion For Post Conviction Relief and granted prosecutors Motion For summary judgment. Such denial was made via a post-card without an evidentiary hearing being held or without a finding of facts and conclusions of law being rendered as required by the Post Conviction Act.

A timely notice of appeal was filed on July 27, 1978, and it is from these proceedings that this appeal is now taken.

000242

APPELLANT'S ASSIGNMENT OF ERROR:

The Court Below Committed Reversible Error in its Failure to make a finding of fact and conclusion of law denying appellant's petition to vacate his conviction.

The Court's duty to make a finding of facts and conclusions of law in denying appellants for post conviction relief is clearly defined in Ohio Revised Code, Section 2933.02 et seq.

Judge Greeney has repeatedly been reversed by Ohio Court for his failure to make such findings of facts and conclusions of law and yet he has denied this Appellant's Petition vacate his conviction.

The provisions of Ohio's Post Conviction Act, to this date and for this reason alone Judge Greeney's judgment must, once again, be reversed.

APPELLANT'S ASSIGNMENT OF ERROR:

The Court Below Committed Reversible Error in its Creating of Summary Judgment where there was material issues of facts and law in dispute.

Since there was material issues in dispute as shown by the use of affidavits from appellant's attorneys. Appellant is saying that his trial counsel failed to call witnesses, interview witnesses, file pre-trial motions, and failed to take issue to the jury of the "bloody print" found at the scene of the crime which was first made known to him and in the prosecution office and appellants counsel denied such allegation per affidavits.

This takes an issue in dispute. Appellant is saying that the (which is outside the record) and counsel is saying otherwise. This is the creating of summary judgment the reversible error.

Must be made

See 223.21(c)

000243

THE COURT BELOW COMMITTED REVERSIBLE ERROR IN

The Court Below committed reversible error in its failure to conduct an evidentiary hearing where appellant had alleged facts, outside the record, which, if proven, could have constituted the basis for reversal.

The appellant set forth in his petition to vacate that his counsel failed to discover certain evidence which was in the files of the prosecutor which would have proven appellant innocent. While he didn't specifically set forth what that evidence was because he is a layman at law and not versed in legal matters, he was referring to the "bloody palm print" found at the scene of the crime which the prosecutor knew didn't belong to appellant and failed to disclose this information to appellant's counsel.

The docket sheet in this case shows that only a Bill of Particulars was filed by appellant's counsel and not discovery as requested by the prosecutor. A Bill of Particulars merely sets forth the time, place, witnesses, etc., that the prosecutor plans to use and does not compel him to disclose all evidence favorable or unfavorable to the accused. It merely sets forth the specifics of the crime.

Appellant asserts that he made known to counsel prior to trial and during trial that the prosecutor had in his files information of a "bloody palm print" found at the scene of the crime which established that it was someone's print other than appellant's. Appellant's counsel for appellant refused to compel the prosecutor to disclose this information and failed to bring it to the court's attention that the prosecutor was knowingly, willfully and purposefully withholding evidence favorable to the accused. People v. Bishop, 204 N.E. 103 (1925); Wiles v. Maryland, 386 N.E. 2d (1977).

000244

See also: Accardi v. United States, 355 U.S. 46 (1957) and Waller v. United States, 378 U.S. 86 (1964).

Such a failure does constitute ineffective assistance of counsel, if proven, and would have constituted grounds for relief raised outside the record.

When grounds raised outside the record cannot be disposed upon the face of the record then an evidentiary hearing is required by law. State v. Milenovich, 42 Ohio St. 2d 46 (1955); Machibroda v. United States, 358 U.S. 497 (1958).

Thus, failure of the lower court to hold an evidentiary hearing was reversible error and a sufficient basis to compel the Court to rule accordingly.

REVERENDABLE ERROR OF THE COURT:

The Court below committed reversible error by denying appellants Petition To Vacate on the strength of affidavits.

When a petition for habeas corpus or petition to vacate is filed and raises issues outside the record it can not be disposed of by the use of affidavits, See Machibroda v. United States, supra, and the Court below committed reversible error in disposing of the Petition To Vacate on the strength of affidavits submitted by the prosecutor.



000245

ORIGIN

(MOTION), for the reasons set forth herein appellant moves the Court to reverse the Judgment of the Court below on issue an ORDER directing that appellant be given an evidentiary hearing which will give him an opportunity to prove that:

- 1) Counsel was ineffective;
- 2) That Counsel was aware of the "bloody palm print" in the prosecutors file and failed to make discovery or disclosure of it;
- 3) That counsel was aware of witnesses who could establish appellants innocence and failed to investigate them, interview them, or subpoena them.

Respectfully,

Isaiah Andrews

SERVICE

A copy of the foregoing appeal brief was mailed to George J. Gadd, Assistant Prosecuting Attorney, The Justice Center, 1000 Ontario, Cleveland, Ohio 44113, this 4<sup>th</sup> day of August, 1991.

Isaiah Andrews

144-342

Southern Correctional Facility

P.O. Box 4209

Lucasville, Ohio 43040

Appellant's Ge